

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

THANH CONG PHAN,

Defendant.

NO. CR18-0086RSM

ORDER DIRECTING RISK
ASSESSMENT PURSUANT TO
18 U.S.C. § 4246

This matter comes before the Court on the government's motion for an order directing the Bureau of Prisons to conduct a risk assessment pursuant to Title 18, United States Code, Section 4246. Having considered the government's motion and any response thereto, together with the record and all relevant facts and law;

IT IS HEREBY ORDERED that Defendant Thanh Cong Phan be committed to the custody of the Attorney General or a designated representative, pursuant to Title 18, United States Code, Section 4246, for the purpose of conducting a formal risk assessment to determine whether he is presently suffering from a mental disease or defect as a result of which his release would create a substantial risk of bodily injury to another person or serious damage to the property of another.

IT IS FURTHER ORDERED that pursuant to Title 18, United States Code, Section 4247(b), the examination shall be completed and a report filed with the Court no later than forty-five (45) days from entry of this Order unless the director of the facility conducting the examination presents good cause for a thirty (30) day extension.

1 IT IS FURTHER ORDERED that the time between the date of entry of this Order
2 and the date on which the Attorney General or a designated representative completes the
3 risk assessment is excludable under the Speedy Trial Act, Title 18, United States Code,
4 Section 3161(h)(7). The Court finds that the ends of justice served by conducting the risk
5 assessment outweigh the best interest of the public and the Defendant in a speedy trial.

6 IT IS FURTHER ORDERED that the United States District Court Clerk is
7 directed to provide the United States Marshal's Service with a certified copy of this
8 Order.

9 DATED this 15th day of June, 2020.

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14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE
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